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CUSTOMER
NUMBER

Docket No. 4439-4034

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Inui, et al. Confirmation No.: 8848
Serial No.: 10/539,032 Group Art Unit: 1646
Filed: June 13, 2005 Examiner: Ruixiang, Li
For: GLUCOSE AND/OR FRUCTOSE TRANSPORTER NaGLT1 AND ITS GENE

RESPONSE TO RESTRICTION REQUIREMENT

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This is responsive to the Restriction Requirement dated September 27, 2007 in which claims 1-29 were subjected to restriction. The applicants provisionally elect to prosecute **Group I** (*i.e.*, claims 1-3, 6, 10-13, 18, 20 in part) drawn to DNA which comprises a base sequence shown by SEQ ID NO: 1 or a sequence containing part of the sequence, a host cell, and a method for producing polypeptide. Entry and consideration of the amendment is respectfully requested.

Under 37 C.F.R. §1.7(a) when the last day to take action falls on a Saturday, Sunday, or Federal holiday within the District of Columbia, the action may be taken on the next succeeding business day which is not a Saturday, Sunday, or Federal holiday, *i.e.*, October 29, 2007 without additional extension fees.

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper.

Remarks/Arguments begin on page 5 of this paper.